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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,046	02/28/2002	Srinivas Gutta	US020016	8826

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER	
KOENIG, ANDREW Y	
ART UNIT	PAPER NUMBER
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/086,046	GUTTA ET AL.	
	Examiner	Art Unit	
	Andrew Y. Koenig	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-8,10,11,13-17 and 19-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-8,10,11,13-17 and 19-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 19 July 2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 5-8, 10-11, 13-17, and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 5-6, 15-17, and 19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun et al. (U.S. 5561457) in view of Bhagavath et al. (U.S. 6829781 B1) and Gutta (WO 01/45408).

Referring to claim 1, Cragun teaches a method for detecting a particular content in a stream of video data signals according to a user's criteria, the method comprising the steps of:

obtaining a user profile indicating video content preferred by said user (Column 7 lines 5-30 and Column 10 lines 8-35);

comparing incoming television programs in a channel to said user profile to detect at least one key frame preferred by said user (Column 11 lines 5-35); and,

storing said key frame preferred by said user in a storage means for subsequent retrieval (Column 11 lines 5-35 teaches storing the video signal if a match exists and Column 5 lines 27-49 teaches digital storage device element 105 in Figure 1, Column 15 lines 49-61 and Figures 8A and 8B teach scanning the video for short segments for later viewing).

Cragun teaches a user profile entered by the user, but Cragun fails to teach generating independent of the user and the profile is based upon a viewing history of the user.

In an analogous art, Bhagavath teaches indexing into a program using with a user profile wherein said user profile is obtained according to a viewing history of said user (Column 7 lines 37-67 and Column 8 lines 1-3), wherein the viewing history is generated independent of the user.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the video capturing function/device by adding functionality to the profile of Cragun by using the viewing history to decide on which

histories to store function/device of Bhagavath for the purpose of effectively selecting programming material to suit viewers desires and preferences and to effectively utilize the storage capacity of the storage medium (Column 7 lines 43-49, Bhagavath).

Cragun teaches the step of storing a plurality of key words liked by said user in said user profile (Column 2 lines 45-54, Column 6 lines 10-40, Column 10 lines 8-35). The combination of Cragun and Bhagavath teaches profiles based upon a viewing history but Cragun and Bhagavath are silent on user profiles generated by employing a decision trees. In analogous art, Gutta teaches the use of decision trees for recommending television programming (abstract, pg. 3, ll. 26-34, pg. 9-10, ll. 33-7, pg. 12, ll. 19-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the profiles of Cragun and Bhagavath to include the profiles generated by employing decision trees as taught by Gutta in order to accurately provide content that most closely matches the user's profile, even for unseen cases (Gutta: pg. 6, ll.6-9).

Referring to claim 2, depending on claim 1, Cragun teaches the step of retrieving said key frame stored in said storage means for display (Column 15 lines 49-61 and Figures 8A and 8B).

Referring to claim 3, depending on claim 1, Cragun teaches wherein said comparison step further comprising the step of converting the video signals of said incoming television programs into a time-based map of closed captioning data (Column

4 lines 9-21 teaches retrieving closed captioning data from the video signal with a decoder and Column 15 lines 62-67 and Column 16 lines 1-11 teaches storing the text along with or mapping the text to the video).

Referring to claim 5, depending on claim 1, Cragun teaches wherein said user profile obtaining step further comprises the step of interactively creating said user profile in advance of said comparison step (Column 10 lines 8-35 and Column 2 lines 45-53).

Referring to claim 6, depending on claim 1, Cragun fails to teach wherein said user profile is obtained according to a viewing history of said user.

In an analogous art Bhagavath teaches wherein said user profile is obtained according to a viewing history of said user (Column 7 lines 37-67 and Column 8 lines 1-3).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video capturing function/device of Cragun using the viewing history to decide on which histories to store function/device of Bhagavath for the purpose of effectively utilizing the storage capacity of the storage medium (Column 7 lines 45-49, Bhagavath).

Referring to claim 15, Cragun teaches a system for detecting a particular content in a stream of video data signals according to a user's criteria, comprising:

a memory for storing a computer-readable code (Column 18 lines 17-41, Column 5 lines 27-49 and Figure 2 element 105); and,

a processor operatively coupled to said memory, said processor configured to: obtain a user profile indicating video content preferred by said user (Figure 2 element 202 Column 4 lines 40-59 and Column 7 lines 5-30 and Column 10 lines 8-35);

compare incoming television programs in a channel to said user profile to detect at least one key frame preferred by said user (Column 11 lines 5-35); and,

store said key frame preferred by said user in a storage means for subsequent retrieval (Column 11 lines 5-35 teaches storing the video signal if a match exists and Column 5 lines 27-49 teaches digital storage device element 105 in Figure 1, Column 15 lines 49-61 and Figures 8A and 8B teach scanning the video for short segments for later viewing).

Cragun teaches a user profile entered by the user, but Cragun fails to teach generating independent of the user and the profile is based upon a viewing history of the user.

In an analogous art, Bhagavath teaches indexing into a program using with a user profile wherein said user profile is obtained according to a viewing history of said user (Column 7 lines 37-67 and Column 8 lines 1-3), wherein the viewing history is generated independent of the user.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the video capturing function/device of Cragun using the viewing history to decide on which histories to store function/device of

Bhagavath for the purpose of effectively selecting programming material to suit viewers desires and preferences and to effectively utilize the storage capacity of the storage medium (Column 7 lines 43-49, Bhagavath).

Cragun teaches in the analysis step using the user profile to detect the plurality of said key frames like by said user (Column 11 lines 5-35). Cragun teaches the step of storing a plurality of key words liked by said user in said user profile (Column 2 lines 45-54, Column 6 lines 10-40, Column 10 lines 8-35). The combination of Cragun and Bhagavath teaches profiles based upon a viewing history but Cragun and Bhagavath are silent on user profiles generated by employing a decision trees. In analogous art, Gutta teaches the use of decision trees for recommending television programming (abstract, pg. 3, ll. 26-34, pg. 9-10, ll. 33-7, pg. 12, ll. 19-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the profiles of Cragun and Bhagavath to include the profiles generated by employing decision trees as taught by Gutta in order to accurately provide content that most closely matches the user's profile, even for unseen cases (Gutta: pg. 6, ll.6-9).

Referring to claim 16, depending on claim 15, see the rejection of claim 2.

Referring to claim 17, depending on claim 15, see the rejection of claim 3.

Referring to claim 19, depending on claim 15, see the rejection of claim 5.

Referring to claim 20, Cragun teaches a system for detecting a particular content in a stream of video data signals according to a user's criteria, comprising:

a first storage means for storing a plurality of key words liked by said user (Column 6 lines 10-40 teaches storing profiles which include key words in a computer; Column 2 lines 46-53);

a detection means, coupled to receive incoming television programs, for detecting a plurality of key frames preferred by said user (Column 11 lines 5-35 detail control program detecting received television programs);

a second storage means for storing the plurality of said key frames preferred by said user (Figure 2 element 105 and Column 5 lines 28-49 teach a storage means and Column 15 lines 49-61 teaches retrieving saved video segments from storage 105);

a controlling means, coupled to said first storage means, said detection means, said second storage means for determining the plurality of said key frames preferred by said user based on a comparison between said received incoming television programs and the data stored in said first storage means (Figure 2 element 202 and 210 and Column 4 lines 40-59 and Column 5 lines 28-49); and,

a replay means coupled to said controlling means for replaying the plurality of said key frames from said second storage means for viewing (Column 15 lines 49-61).

Cragun teaches a user profile entered by the user, but Cragun fails to teach generating independent of the user and the profile is based upon a viewing history of the user.

In an analogous art, Bhagavath teaches indexing into a program using with a user profile wherein said user profile is obtained according to a viewing history of said user (Column 7 lines 37-67 and Column 8 lines 1-3), wherein the viewing history is generated independent of the user.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the video capturing function/device of Cragun using the viewing history to decide on which histories to store function/device of Bhagavath for the purpose of effectively selecting programming material to suit viewers desires and preferences and to effectively utilize the storage capacity of the storage medium (Column 7 lines 43-49, Bhagavath).

Cragun teaches in the analysis step using the user profile to detect the plurality of said key frames like by said user (Column 11 lines 5-35). Cragun teaches the step of storing a plurality of key words liked by said user in said user profile (Column 2 lines 45-54, Column 6 lines 10-40, Column 10 lines 8-35). The combination of Cragun and Bhagavath teaches profiles based upon a viewing history but Cragun and Bhagavath are silent on user profiles generated by employing a decision trees. In analogous art, Gutta teaches the use of decision trees for recommending television programming (abstract, pg. 3, ll. 26-34, pg. 9-10, ll. 33-7, pg. 12, ll. 19-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the profiles of Cragun and Bhagavath to include the profiles generated by employing decision trees as taught by Gutta in order to accurately provide content that most closely matches the user's profile, even for unseen cases (Gutta: pg. 6, ll.6-9).

Referring to clam 21, depending on clam 20, see the rejection of claim 3.

Referring to claim 22, depending on claim 20, see the rejection of claim 20; and display means element 106 in Figure 1.

Referring to clam 23, depending on clam 15, see the rejection of claim 5.

5. Claims 7, 8, 10, 11, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun et al. (U.S. 5561457), Bhagavath et al. (U.S. 6829781 B1), and Gutta (WO 01/45408) in view of Alexander et al. (U.S. 6177931 B1).

Referring to claim 7, Cragun teaches a method for detecting a particular content in a stream of video data signals according to a user's criteria, the method comprising the steps of:

obtaining a user profile indicating video content preferred by said user (Column 7 lines 5-30 and Column 10 lines 8-35);

analyzing incoming television programs to detect a plurality of key frames liked by said user based on said user profile (Column 11 lines 5-35);

identifying the beginning and ending positions of each of the plurality of said key frames (Column 11 lines 5-35); and,

storing the plurality of said key frames liked by said user in a storage means for subsequent retrieval (Column 11 lines 5-35 teaches storing the video signal if a match exists and Column 5 lines 27-49 teaches digital storage device element 105 in Figure 1, Column 15 lines 49-61 and Figures 8A and 8B teach scanning the video for short segments for later viewing).

Cragun teaches a user profile entered by the user, but Cragun fails to teach generating independent of the user and the profile is based upon a viewing history of the user.

In an analogous art, Bhagavath teaches indexing into a program using with a user profile wherein said user profile is obtained according to a viewing history of said user (Column 7 lines 37-67 and Column 8 lines 1-3), wherein the viewing history is generated independent of the user.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the video capturing function/device of Cragun using the viewing history to decide on which histories to store function/device of Bhagavath for the purpose of effectively selecting programming material to suit viewers desires and preferences and to effectively utilize the storage capacity of the storage medium (Column 7 lines 43-49, Bhagavath).

Cragun teaches in the analysis step using the user profile to detect the plurality of said key frames like by said user (Column 11 lines 5-35). Cragun teaches the step of storing a plurality of key words liked by said user in said user profile (Column 2 lines 45-54, Column 6 lines 10-40, Column 10 lines 8-35). The combination of Cragun and

Bhagavath teaches profiles based upon a viewing history but Cragun and Bhagavath are silent on user profiles generated by employing a decision trees. In analogous art, Gutta teaches the use of decision trees for recommending television programming (abstract, pg. 3, ll. 26-34, pg. 9-10, ll. 33-7, pg. 12, ll. 19-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the profiles of Cragun and Bhagavath to include the profiles generated by employing decision trees as taught by Gutta in order to accurately provide content that most closely matches the user's profile, even for unseen cases (Gutta: pg. 6, ll.6-9).

Cragun, Bhagavath, and Gutta teaches comparing content, such as television programming, but is silent on comparing commercials. In an analogous art Alexander teaches the user profile includes detected commercials (Column 28 lines 30-45).

At the time the invention was made it would have been obvious for one skilled in the art to modify the video capturing function/device of Cragun using detected commercials in said user profile function/device of Alexander for the purpose of notifying the viewer about scheduling for a program involving the viewer's favorite team (Column 32 lines 27-31, Alexander).

Referring to claim 8, depending on claim 7, Cragun teaches the steps of retrieving the plurality of said key frames stored in said storage means (Column 15 lines 49-61 and Figures 8A and 8B); and, displaying said identified beginning and ending position of each of the plurality of said key frames (Column 15 lines 49-61 and Figures 8A and 8B teaches displaying the segments/key frames and by displaying a segment

from start to end the beginning and ending position of each key frame/segment is displayed.

Referring to claim 10, depending on claim 7, Cragun teaches wherein said analyzing step further includes the steps of:

detecting the frequency of key words appearing within a predetermined time period (Column 11 lines 5-35);

comparing said detected frequency to a threshold value (Column 11 lines 5-35); and, identifying the beginning and ending positions of each of the plurality of said key frames if said detected frequency exceeds a threshold value (Column 11 lines 5-35).

Referring to claim 11, depending on claim 7, see the rejection of claim 3.

Referring to claim 13, depending on claim 7, see the rejection of claim 5.

Referring to claim 14, depending on claim 7, see the rejection of claim 6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Koenig whose telephone number is (571) 272-7296. The examiner can normally be reached on M-Fr (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Y Koenig
Primary Examiner
Art Unit 2623

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